

Attachment 1 to 214 Application of AMS Voicecom Inc.

Response to Question 9

The application of AMS Voicecom Inc. qualifies for streamlined processing pursuant to 47 CFR 63.12 (c) because although Applicant is affiliated with a foreign carrier in the Netherlands Antilles, the Commission has determined that the affiliated carrier lacks market power in that destination market. The affiliated entity SMARTCOM (SMART COMMUNICATION), N.V. is a foreign carrier in the Netherlands Antilles. The Commission in DA-99-809 does not include SMARTCOM as a foreign telecommunications carrier presumed to possess market power in foreign telecommunications markets.

Response Question 10

Provision of international resale service over private lines between the United States and the Netherlands Antilles is permitted pursuant to 47 CFR 63.16(a) of the Commission's rules.

Response to Question 11

Applicant is affiliated with a foreign carrier in the Netherlands Antilles, SMARTCOM (SMART COMMUNICATION), N.V.

Applicant seeks to provide telecommunications services between the United States and Netherlands Antilles. Applicant controls SMARTCOM by virtue of ownership of 85% of the outstanding shares of SMARTCOM.

Applicant's affiliated foreign carrier, SMARTCOM, lacks market power in the Netherlands Antilles as the Commission in DA-99-809 does not include SMARTCOM as a foreign telecommunications carrier presumed to possess market power in foreign telecommunications markets.

Applicant proposes to resell the international switched services of an unaffiliated US carrier for the purpose of providing international telecommunications services to a country where it is affiliated with a foreign carrier. However, as the Commission has determined that the affiliated foreign carrier, SMARTCOM, is non-dominant (See DA-99-809) nor a monopoly provider in the relevant market (Netherlands Antilles), therefore it is clear that the affiliated foreign carrier lacks sufficient market power on the foreign end of the route to adversely affect competition in the US market.

Applicant qualifies for non-dominant classification as the Commission has determined that the affiliated foreign carrier, SMARTCOM, is non-dominant (See DA-99-809) nor a monopoly provider in the relevant market (Netherlands Antilles), therefore it is clear that the affiliated foreign carrier lacks sufficient market power on the foreign end of the route to adversely affect competition in the US market. Furthermore, Applicant will provide

services authorized hereunder to the destination international market in question (Netherlands Antilles) solely through the resale of an unaffiliated US facilities based carrier's international switched services and, therefore, shall presumptively be classified as non-dominant for the provision of the authorized services (47 CFR 63.10 (a)(4)).

Response to Question 12

Applicant controls through its 85% equity ownership the non-dominant carrier SMARTCOM in the Netherlands Antilles.

Response to Question 15

Applicant has not previously received authority under Section 214 for any services.

This Application does not seek authority to transfer control or assignment of another carrier's existing Section 214 authorization.

Applicant's facilities are not listed in Section 1.1306 of the Commission's rules.